

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Appeal to the Board of Patent Appeals and Interferences

PATENT
APPLICATION

In re PATENT APPLICATION of
Inventor(s): T. HOSHINO et al.
Appln. No.: 09 835,820
Series Code ↑ Serial No. ↑

Group Art Unit: 2825
Examiner.: Chuong A. LUU
Atty. Dkt. 0280192
C-M EDL00028CDC
Client Ref

Filed: April 17, 2001

Title: Fabricating Process of a Semiconductor Device including
a CVD Process of a Metal Film

Date: October 31, 2003

Mail Stop Appeal Brief-Patents
Hon. Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450



Sir:

1. ☒ **NOTICE OF APPEAL:** Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision (not Advisory Action) dated May 2, 2003 of the Examiner twice/finally rejecting claim(s) in this application or in this application and its parent application.
2. ☐ **BRIEF** on appeal in this application attached in triplicate (extendable up to 5 months).
3. ☐ An **ORAL HEARING** is respectfully requested under Rule 194 (due two months after Examiner's Answer- unextendable)
4. ☐ Reply Brief is attached in triplicate (due two months after Examiner's Answer - unextendable).
5. ☐ "Small entity" statement filed: ☐ herewith. ☐ previously.
6. ☐ Fee NOT required because paid in prior appeal in which the Board of Patent Appeals and Interferences did not render a decision on the merits (35 USC 134).

7. FEE CALCULATION

	Large/Small Entity	Fee Code
If box 1 above is X'd,enter	\$330/165	\$330 1401/2401
If box 2 above is X'd,enter	\$330/165	\$0 1402/2402
If box 3 above is X'd,enter	\$290/145	\$0 1403/2403
If box 4 above is X'd,enter nothing	- 0 - (no fee)	
8. Original due date: May 2, 2003		
9. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached.	(1 mo) \$110/\$55 (2 mos) \$420/\$210 (3 mos) \$950/\$475 (4 mos) \$1,480/\$740 (Usable <u>only</u> if box 2 is X'd--- 5 mos) \$2,010/\$1,005	1251/2251 1252/2252 1253/2253 1254/2254 1255/2255
10. Enter any previous extension fee paid <input type="checkbox"/> previously since above Original due date (item 8); <input checked="" type="checkbox"/> with concurrently filed amendment	+\$950 -\$950	NOV - 7 2003 RECEIVED
11. Subtract line 10 from line 9 and enter: Total Extension Fee		+
12. TOTAL FEE =	\$330	

PLEASE CHARGE
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(Our Deposit Account No. 03-3975)

(Our Order No. 040258 0280192
C# M#

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached. This **CHARGE STATEMENT** does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

11/03/2003 RHARIS1 00000067 033975 09835820

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